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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

SUSAN LYNN CLOPP, et al.,  
Plaintiffs,  
vs.  
CITY OF SPARKS, et al.,  
Defendants.

NO. 3:20-cv-00465 MMD WGC

**STIPULATION AND  
PROTECTIVE ORDER**

Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, it is hereby stipulated by and between the parties by their respective counsel:

1. Documents and materials produced by Police One Academy in response to subpoena issued by Plaintiffs shall be watermarked as “Confidential” and subject to this Protective Order entitling them to have protected from public disclosure by Court order under Rule 26(c) of the Federal Rules of Civil Procedure and the relevant case law.

2. Protected Information shall be used solely in connection with the civil case of *Susan Lynn Clopp, et al v City of Sparks, et al.*, Case No. 3:20-cv-00465 MMD WGC, and in the

1 preparation of trial of this case, or any related proceeding.

2 3. Protected Information designated under this Protective Order as "Confidential" may  
3 only be disclosed to the following persons:

4 a) Counsel for the parties;

5 b) Paralegal, clerical, and secretarial personnel regularly employed by counsel referred to  
6 in subpart (a) directly above, including stenographic deposition reporters or videographers  
7 retained in connection with this action;

8 c) Court personnel including stenographic reporters or videographers engaged in  
9 proceedings as are necessarily incidental to the preparation for the trial of the civil action;

10 d) Any expert or consultant retained in connection with this action;

11 e) The finder of fact at the time of trial, subject to the court's rulings on in  
12 limine motions and objections of counsel; and

13 f) The parties, to the extent reasonably necessary to assist their counsel in this litigation or  
14 for their counsel to advise them with respect to the litigation.

15 g) The parties will not be required to file any documents marked as "confidential" under  
16 seal with the Court.

17 4. The designation of information as Protected Information, and the subsequent production  
18 thereof, is without prejudice to the right of any party to oppose the admissibility of the designated  
19 information.

20 5. A nonparty producing information or material voluntarily or pursuant to a subpoena or  
21 a court order may designate such material or information as Protected Information pursuant to the  
22 terms of this Protective Order. The signatories to this Protective Order will treat such information  
23 as Protected Information to the same extent as if it had been produced by a party.

24 6. A party may apply to the Court for an order that information designated as Protected  
25 Information pursuant to this Protective Order is not, in fact, "Confidential". Prior to so applying,  
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1 the party seeking to reclassify Protected Information shall meet and confer with the producing  
2 party. Until the matter is resolved by the parties or the Court, the Protected Information in  
3 question shall continue to be treated according to its designation under the terms of this Protective  
4 Order. The producing party shall have the burden of establishing the propriety of the  
5 “Confidential” designation. A party shall not be obligated to challenge the propriety of a  
6 confidentiality designation at the time made, and a failure to do so shall not preclude a subsequent  
7 challenge thereto.  
8

9         7. Each person to whom disclosure is made, with the exception of counsel, and its  
10 paralegal, clerical, and secretarial personnel, who are presumed to know the contents of this  
11 Protective Order, shall, prior to the time of disclosure, be provided by the person furnishing him  
12 or her such material, a copy of this Protective Order. Each person to whom disclosure is made  
13 shall agree on the record or in writing that he/she has read the Protective Order and he/she  
14 understands the provisions of the Protective Order. Such person must also consent to be subject to  
15 the jurisdiction of the United States District Court, District of Nevada, with respect to any  
16 proceeding related to enforcement of this Protective Order, including without limitation, any  
17 proceeding for contempt. Provisions of this Protective Order, insofar as they restrict disclosure  
18 and use of the material, shall be in effect until further order of this Court.  
19  
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21         8. After the conclusion of this litigation, all documents, in whatever form stored or  
22 reproduced, containing Protected Information will remain confidential and subject to this  
23 Protective Order. The conclusion of this litigation means a termination of the case following  
24 applicable post-trial motions, appeal and/or retrial. After the conclusion of this litigation, all  
25 Protected Information received under the provisions of this Protective Order, including copies  
26 made, shall be destroyed, or tendered back to the attorneys for the party or parties producing the  
27 documents. The parties will also take all reasonable and necessary steps to ensure that persons to  
28 whom they disclose another party’s Protected Information destroy or return the Protected

Information to the producing party.

Dated:

Respectfully submitted this 2nd day of August, 2021.

By:

/s/ David M. Smith

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/s/ Chester H. Adams

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/s/Terri Keyser-Cooper (per email consent)

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*Counsel for Plaintiffs Susan Lynn Clopp and  
Paris Fridge, as Co-Administrators of the  
Estate of Miciah William Lee*

Dated:

**ORDER**

Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that:

1. The protective order is entered.

IT IS SO ORDERED.

DATED: August 3, 2021.

William G. Cobb

UNITED STATES MAGISTRATE JUDGE